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2-23-1994

# Release From Custody. Facial Implant.

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Office of the Secretary of State

1230 J Street  
Sacramento, California 95814

ELECTIONS DIVISION  
(916) 445-0820

For Hearing and Speech Impaired  
Only:  
(800) 833-8683

#635

February 23, 1994

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (94049)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

RELEASE FROM CUSTODY. FACIAL IMPLANT.  
INITIATIVE STATUTE.

Circulating and Filing Schedule

1. Minimum number of signatures required ..... 384,974  
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date ..... Wednesday, 02/23/94  
Elec. C., Sec. 3513.
3. Petition Sections:
  - a. First day Proponent can circulate Sections for  
signatures ..... Wednesday, 02/23/94  
Elec. C., Sec. 3513.
  - b. Last day Proponent can circulate and file with  
the county. All sections are to be filed at  
the same time within each county ..... Friday, 07/22/94  
Elec. C., Secs. 3513, 3520(a)
  - c. Last day for county to determine total number of  
signatures affixed to petition and to transmit total  
to the Secretary of State ..... Wednesday, 08/03/94

(If the Proponent files the petition with the county on a date prior to 07/22/94, the county has eight working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).



d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties . . . . . Friday, 08/12/94\*

e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State . . . . . Tuesday, 09/27/94

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 08/12/94, the last day is no later than the thirtieth day after the county's receipt of notification.)  
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 423,472 or less than 365,726 then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 365,726 and 423,472 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures . . . . Friday, 10/07/94\*

g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State . . . . . Tuesday, 11/22/94

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 10/07/94, the last day is no later than the thirtieth working day after county's receipt of notification.)  
Elec. C., Sec. 3521(b), (c).

h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient . . . . . Saturday, 11/26/94\*

\* Date varies based on receipt of county certification.

RELEASE FROM CUSTODY. FACIAL IMPLANT.  
INITIATIVE STATUTE.  
February 23, 1994  
Page 3

4. The Proponent of the above-named measure is:

Norman J. Bedford  
Citizens for Justice for All  
P.O. Box 1443  
Healdsburg, CA 95448

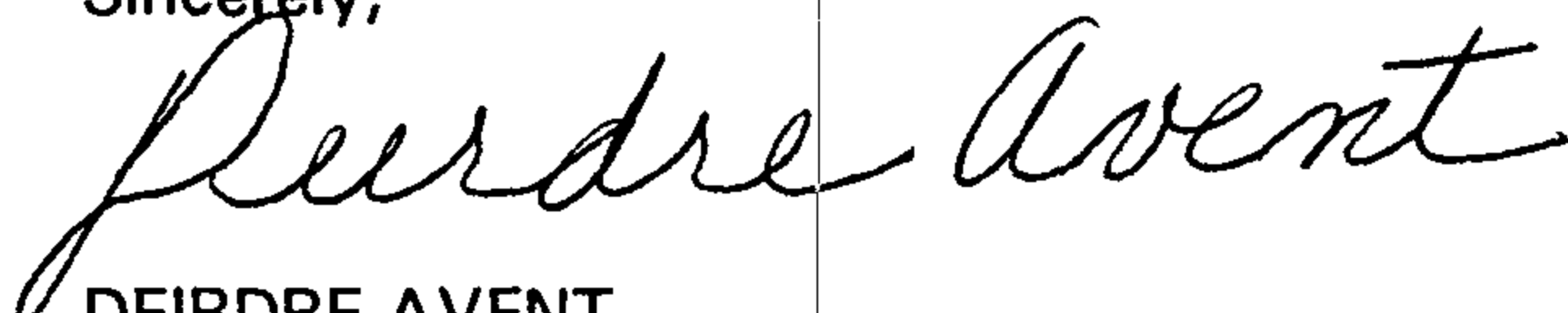
5. Important Points:

- (a) California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; Bilofsky v. Deukmejian (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) Please refer to Elections Code sections 41, 41.5, 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type consideration in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (e) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (f) When filing the petition with the county elections official, please provide a blank petition for elections official use.

**NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 8, 1994**

**GENERAL ELECTION:** This initiative must be certified for the ballot 131 days before the election (June 30, 1994). Please remember to time your submissions accordingly. For example, in order to allow the maximum time permitted by law for the random sample verification process, it is suggested that proponents file their petitions to county elections officials by April 22, 1994. If a 100% check of signatures is necessary, it is advised that the petitions be filed by March 2, 1994.

Sincerely,



DEIRDRE AVENT  
Elections Analyst

**DANIEL E. LUNGREN**  
Attorney General

**State of California**  
**DEPARTMENT OF JUSTICE**



1515 K STREET, SUITE 511  
P.O. Box 944255  
SACRAMENTO, CA 94244-2550  
(916) 445-9555

(916) 324-5490

February 23, 1994

**FILED**  
in the office of the Secretary of State  
of the State of California

**FEB 23 1994**

Tony Miller  
Acting Secretary of State  
1230 J Street  
Sacramento, CA 95814

TONY MILLER  
Acting Secretary of State  
*Deputy*  
Deputy

Re: Initiative Title and Summary  
Subject: RELEASE FROM CUSTODY. FACIAL IMPLANT. INITIATIVE STATUTE.  
File No: SA 93 RF 0050

Dear Mr. Miller:

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Sincerely,

DANIEL E. LUNGREN  
Attorney General

KATHLEEN F. DaROSA  
Initiative Coordinator

KFD:ms  
Enclosures

Date: February 23, 1994  
File No: SA93RF0050

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

RELEASE FROM CUSTODY. FACIAL IMPLANT. INITIATIVE STATUTE.

Requires implantation, before release from custody, of facial identifying numbers on prisoners guilty of felony in which a violent act is committed or threatened, or any crime while illegally in possession of any instrumentality which would provide means to commit great bodily injury, or property damage from which personal injury could reasonably, proximally result. Repeat offenders receive additional facial implants.

Third time offenders can receive life imprisonment if incorrigible and public risk.

Establishes telephone number to provide information on wearer of implant number.

Makes taunting or harassing persons with facial implants a misdemeanor. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure could result in additional annual costs to the state and local governments for (1) implantation and removal of the identification number (including the expenses for the volunteer physicians), (2) incarceration of offenders who are considered incorrigible, and (3) operation of the 24-hour toll-free telephone number. Costs are unknown, but likely in the millions of dollars annually.

Citizens for Justice for All

P. O. Box 1443  
Healdsburg, California 95448

December 28, 1993

Daniel E. Lungren  
Attorney General  
1515 K Street, Suite 511  
Sacramento, CA 95814

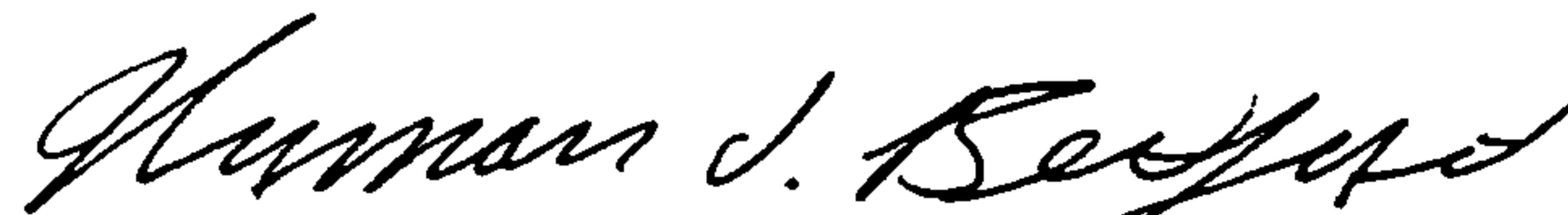
RECEIVED

DEC 30 1993

INITIALS COORDINATOR  
ATTORNEY GENERAL'S OFFICE

We are submitting the following draft and request title and summary of the proposed measure (SS3502, 3503). Please find check in the amount of \$200.00.

Sincerely,



Norman J. Bedford, Proponent

Except as provided by this statute, no person guilty of a felony in which a violent act is committed, or threatened, or guilty of any crime while illegally in the possession of any instrumentality which would provide the means to commit great bodily injury to persons, or damage to property that could reasonably and proximately result in injury to persons, shall be released from physical custody.

First time offenders subject to this statute shall, prior to release from custody, be identified to the public and law enforcement by implanting a number or numbers cutaneously on the cheek below the right eye. Such numbers or numbers shall be florescent red, 1/2" in size and shall correspond to the offenders identity. The identifying number or numbers shall be worn for a minimum period of one year. The court, in its' discretion, may extend that period to a maximum of ten years.

Second time offenders shall wear the identifying numbers in the same manner as first time offenders except that an additional number, or set of numbers shall be implanted on the left cheek. The identifying numbers shall be worn for a period of five years minimum to twenty years, as the court shall determine.

Third time offenders, if released from physical custody, shall wear the identifying implants in the same manner as first and second time offenders except that additionally a third number or set of numbers shall be implanted on the center of the forehead just above the browline. The implants shall be worn for a period of ten years to the remainder of the offenders life as the court shall determine.

Third time offenders who, after evaluation, appear to be incorrigible and to present an unacceptable risk to society may be held in physical custody for the remainder of the offenders life.

For the purpose of this statute, a threatened act of violence shall be interpreted to include the illegal possession of the means to commit great bodily injury, or the commission of a criminal act that by its' nature would reasonably and proximately give rise to circumstances in which bodily injury or serious psychological trauma could occur.



The implantation of the numbers is a minor surgical procedure. It shall be performed by a volunteer physician at the place of detention in such a manner as to produce minimal scarring. The physician shall receive \$50.00 per offender to cover travel costs, etc.. The physician performing this service shall be immune from any legal action arising as a result of his or her service.

A toll-free 24hour telephone number shall be established. Citizens may obtain information pertaining to identified individuals by giving the numbers read off the face and, may provide information on the location and activities of offenders.

It shall be a misdemeanor to taunt or harass persons so identified under this statute. Said misdemeanor shall be punishable by ninety (90) days in jail and or a fine of up to one-fourth of the violators yearly income or a lessor amount that the court finds appropriate according to the particulars of the case and the violators ability to pay.

The provisions of this statute are not intended to be punitive and are solely for the protection of society as well as the offenders subject to them. Therefore, excepting that provision providing for lifetime protective custody, no provision of this statute shall be used in lieu of any other laws pertaining to the punishment of crimes.